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Date: 5 February 2019

Notice of meeting

Members' Code of Conduct Committee

Date: Wednesday, 13 February 2019

Time: 7.30 pm

Place: Goddard Room, Council Offices, Knowle Green, Staines-upon-Thames

To the members of the Members' Code of Conduct Committee

Councillors:

A.E. Friday
N.J. Gething
A.C. Harman
J.G. Kavanagh
V.J. Leighton
D. Saliagopoulos
R.W. Sider BEM
B.B. Spoor

Independent Members

Mr Murray Litvak (Chairman)

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

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AGENDA

Page nos.

1. Apologies

To receive any apologies for non-attendance.

2. Minutes

3 - 6

To confirm the minutes of the meeting held on 25 April 2017 as a correct record.

3. Disclosures of Interest

To receive any disclosures of interest from councillors in accordance with the Council's Code of Conduct for members.

4. Localism Act 2011: Appointment of Independent Persons 2019-2023

7 - 10

To consider the report of the Monitoring Officer on arrangements for appointing Independent Persons from 2019-2023 and make a recommendation to Council.

5. Gifts and Hospitality

11 - 22

To consider the report of the Monitoring Officer on a review of the procedure for Gifts, Hospitality and Sponsorship and make a recommendation to Council.

**Minutes of the Members' Code of Conduct Committee
25 April 2017**

Present:

Murray Litvak (Chairman)
Miss Sue Faulkner (Vice-Chairman)

Councillors:

M.P.C. Francis	B.B. Spoor
J.G. Kavanagh	H.A. Thomson
R.W. Sider BEM	

Apologies: Councillors V.J. Leighton

371/17 Minutes

The minutes of the meeting held on 14 April 2016 were agreed as a correct record.

372/17 Disclosures of Interest

There were none.

373/17 Minutes of Panel meetings

The Chairman took this item last on the agenda so that members of the Committee were able to discuss the matter in detail.

Councillor Thomson moved and Councillor Francis seconded the exclusion of the Press and Public during consideration of this item on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act.

The Monitoring Officer updated the Committee on the outcome of a Hearing Panel in October 2016 for breaches under the Code of Conduct by Councillor Burkmar. He also gave an update on the Assessment Panel in December 2016 relating to three other councillors which decided that no investigation was justified.

The Committee considered that Councillor Burkmar had not yet completed a sufficient amount of training, as required by the sanctions imposed by the Panel. The Committee agreed to ask the Chairman and Monitoring Officer to speak to Cllr Burkmar and require him to undertake further training within 28 days of that conversation and to report back to the Committee.

Resolved that the Chairman, Mr Murray Litvak and the Monitoring Officer speak to Cllr Burkmar about the sanctions imposed by the Hearing Panel and require him to undertake further training within 28 days of that conversation and to report back to the Committee.

374/17 Amendments to Constitution - Disciplinary procedures for Chief Officers

The Monitoring Officer explained the background to the new arrangements for taking disciplinary action against Council Statutory Officers.

He outlined proposals to adopt the Joint Negotiating Committee (JNC) for Local Authority Chief Executives Model Discipline Procedure and Guidance as the process by which this Council deals with matters of discipline, capability, redundancy and other dismissals against the Chief Executive and other statutory officers.

In order to use the model procedure, the Council needs to appoint appropriate committees with their delegated powers, namely the Investigating and Disciplinary Committee, the Staffing and Appeals Committee and the Independent Panel, before incidents which might engage the procedure arise.

In order to facilitate efficient decision making, the Committee also considered a proposal to give the Head of Corporate Governance authority to amend delegations to reflect changes in legislation, or references to legislation, in those cases where such changes do not alter the nature of the existing delegations.

Resolved to recommend Council to agree:

- (i) to amend the Officer Employment Procedure Rules relating to disciplinary action by reference to the Model Discipline Procedure and Guidance as set out at Appendix 2 to the report;
- (ii) the appointment of an:
 - (a) Investigating and Disciplinary Committee
 - (b) Independent Panelwith the Terms of Reference as set out at Appendix 4 to the report and
- (iii) amendments to the Terms of Reference of the Staffing and Appeals Committee; and
- (iv) to amend the introduction to the Scheme of Delegations as set out at Appendix 5 to the report.

375/17 Review of Petition Scheme

The Monitoring Officer outlined the background to the current Petition Scheme and reported that it limited the options available for the Council to respond to petitions in the most appropriate way.

As there was no longer a statutory requirement to have a Petition Scheme, the Council may adapt the Scheme as it sees fit to include a wider choice of responses to the matters that come before it.

The proposed options for responses to petitions were as follows:

- (a) take, or support, the action the petition requests; or
- (b) not to take the action requested for reasons put forward in the debate; or
- (c) note the petition and keep the matter under review; or
- (d) if the content relates to a matter on the agenda for the meeting the petition be considered when the item is debated; or
- (e) the petition be referred to the Cabinet or Overview and Scrutiny Committee for further consideration

Resolved to recommend Cabinet to recommend the proposed changes to the Petition Scheme to Council for approval.

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Members' Code of Conduct Committee

13 February 2019



Title	Localism Act 2011: Appointment of Independent Persons 2019-2023		
Purpose of the report	To make a recommendation to Council		
Report Author	Michael Graham, Monitoring Officer		
Cabinet Member	Councillor Ian Harvey	Confidential	No
Corporate Priority	This item is not in the current list of Corporate priorities but still requires a Cabinet decision		
Recommendations	<p>(1) That the Monitoring Officer (Michael Graham) be authorised to establish a Joint Appointments Panel with participating Surrey councils' monitoring officers so that the Panel may:</p> <p>(a) advertise for, short-list, and interview candidates and</p> <p>(b) make recommendations to the respective councils</p> <p>for the appointment of Independent Persons under Section 28(7) of the Localism Act 2011, for a four-year term of office expiring in May 2023.</p> <p>(2) That the Independent Persons appointed by this Council be entitled to receive the same level of travelling expenses as are provided for councillors under the Scheme of Allowances for Councillors.</p> <p>(3) That the Monitoring Officer be authorised to withdraw from joint arrangements in the event that we are not content with the process or proposed appointments, and make separate arrangements for Spelthorne Borough Council to appoint its Independent Persons.</p>		
Reason for Recommendation	To comply with the Council's obligations under the Localism Act 2011 in respect of ethical standards and The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 in respect of dismissal and disciplinary arrangements for statutory officers.		

1. Key issues

- 1.1 The Committee will be aware that the Localism Act 2011 introduced a new ethical standards regime for local government in 2012 which, amongst other things, required the Council to seek the views of an Independent Person before it takes a decision on an allegation of misconduct by a councillor which it has decided to investigate. The Monitoring Officer also decides, after consultation with the Independent Person, whether a complaint merits a formal investigation. The Independent Person's views may also be sought by the Council at any other stage in a misconduct complaint, or by a councillor against whom an allegation has been made.
- 1.2 The Council is also required to use its Independent Persons in respect of dismissal or disciplinary procedures against the Head of Paid Service, Monitoring Officer or Chief Finance Officer in accordance with the provisions of The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.
- 1.3 In accordance with the requirements of Section 28(7) of the Act, the Council appointed Vivienne Cameron and Roger Pett, David Seymour, Tony Allenby and Paul Sherar as Independent Persons, for a term of office expiring in May 2019.
- 1.4 The five independent persons were appointed by the Council on the recommendation of a joint appointments panel comprising the respective monitoring officers, at that time, of Spelthorne, Guildford, Waverley and Mole Valley Councils. The joint approach with participating Surrey councils to short-list and interview candidates and make recommendations to the respective councils for the appointment of Independent Persons was approved by the Council in April 2012.
- 1.5 Our Independent Persons, and others appointed elsewhere, also act in that capacity for a number of other councils in Surrey.

2. Options analysis and proposal

- 2.1 The Committee is asked to approve a procedure for the appointment/re-appointment of the Council's Independent Persons similar to that which was adopted in 2012.
- 2.2 Following consultation with the ten other Borough and District Councils in Surrey and Surrey County Council, the following councils have expressed a wish to participate with Spelthorne in the Joint Appointments Panel for the appointment of Independent Persons for the period May 2019 to May 2023:
 - Epsom & Ewell
 - Guildford
 - Mole Valley
 - Reigate & Banstead
 - Surrey Heath
 - Waverley
- 2.3 The joint arrangements will involve the placing of an advertisement simultaneously by the seven participating councils, with the respective Monitoring Officers agreeing a shortlist of candidates for interview, and

agreeing which of them shall comprise the Joint Appointments Panel to interview shortlisted candidates. The panel's recommendations will then be referred to each of the participating councils so that they may consider the formal appointments, taking effect as stated above from May 2019 until May 2023.

- 2.4 Councils are permitted to remunerate appointed Independent Persons such allowance/honorarium/expenses as they consider appropriate. Spelthorne does not pay an allowance but does pay travelling expenses to its Independent Persons at the same level provided for councillors under the Scheme of Allowances. It is recommended that this arrangement should continue.

3. Financial implications

There are no direct financial implications arising from this report as the process for the appointment of Independent Persons will be undertaken within existing budgets.

4. Other considerations

- 4.1 In order to satisfy the very prescriptive requirements of the Act, we are required to advertise any vacancy for an Independent Person in such a manner as we consider is likely to bring it to the public's attention and those interested must submit an application.
- 4.2 In addition, the appointment of an Independent Person must be *approved by a majority of the members of the authority*. This means that any appointment must be approved by at least 19 councillors, not merely a simple majority of councillors present and voting.

5. Timetable for implementation

- 5.1 Subject to the co-operation of the participating councils, it is envisaged that the process should be completed well in advance of next May. An indicative timetable is set out below:

Action	By when
Advertise for applications	January 2019
Joint Appointments Panel to shortlist, interview and recommend to the participating councils suitable candidates for appointment	End February/March 2019
Committee to receive details of Joint Appointments Panel's recommendations	10 April 2019
Council to consider appointments	25 April 2019
Appointments come into effect	May 2019

Background papers: There are none

Appendices: None

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Members' Code of Conduct Committee

13 February 2019



Title	Gifts and Hospitality		
Purpose of the report	To make a recommendation to Council		
Report Author	Michael Graham, Monitoring Officer		
Cabinet Member	Councillor Ian Harvey	Confidential	No
Corporate Priority	This matter is not related to a corporate priority, but nonetheless is worthy of consideration		
Recommendations	(1) To recommend to Council that the Policy on Gifts Hospitality and Sponsorship be amended in line with Appendix 1. (2) To instigate the reporting mechanism outlined at paragraphs 2.2 to 2.8 of this report. (3) To instigate an annual review of all staff and councillor declarations at the Members' Code of Conduct Committee. (4) The Monitoring Officer to conduct periodic training and updates to staff and councillors to remind them of the policy and reporting requirements.		
Reason for Recommendation	To suggest improvements to the reporting mechanism and to make the whole process more transparent and visible. To ensure staff and councillors are accountable under the policy. To provide assurance to residents and other stakeholders that the process is fit for purpose.		

1. Key issues

- 1.1 Councillors and staff have been used to recording gifts and hospitality for some years. It was an uncontroversial proposition that if a councillor received a token gesture in the course of his or her official duties then it be recorded and that the record be open to public inspection. A similar provision exists for staff who note gifts and hospitality in a record retained in the Chief Executive's office.
- 1.2 The Council adopted the Policy on Gifts, Hospitality and Sponsorship in 2012. This Policy is within the remit of the Members' Code of Conduct Committee although it applies as much to staff as it does to councillors.
- 1.3 Since that time, declarations have been made from time to time in accordance with the system envisaged in the policy. In the last few months, a number of enquiries have been made by the press which have prompted this review.

- 1.4 Essentially, the Council has changed significantly since 2012. It is now a significant property investor. As such the register of gifts and hospitality is coming under scrutiny from third parties who wish to assure themselves that staff and councillors are not being unduly treated in the course of their duties. This is to be expected and should be welcomed.
- 1.5 The Council, as always, is transparent and takes any opportunity to question its own practice and look for improvements. As a result of these press enquiries the Monitoring Officer conducted a review of the policy and its reporting mechanisms. In conducting this review the Monitoring Officer has:
- (a) Spoken with staff responsible for the policy and the recording system
 - (b) Researched best practice elsewhere
 - (c) Discussed the matter with other Surrey councils to determine local practice
 - (d) Referred the matter to internal audit, Unison, Human Resources, Group Heads and Management Team for comments
 - (e) Considered new requirements arising from the General Data Protection Regulation (GDPR)
- 1.6 The following issues have emerged from this review:
- (a) There is some confusion as to the obligations on staff and councillors in the policy. The amendments in Appendix 1 attempt to clear up these issues.
 - (b) The policy envisages that declarations of staff and councillors will be recorded together in the same book in the Chief Executive's Office. In fact, separate records for staff and councillors have emerged over time and Internal Audit promoted an internal recording system for staff without recourse to management. This means that whilst there is supposed to be one system, this has been diluted and there are three systems. This confusion needs to be removed.
 - (c) There is no evidence that items which should have been reported have been missed. However, it is difficult to prove a negative; we can never know for sure. Councillors' perspective on this will be of interest.
 - (d) The reporting mechanism does not capture all the elements which are envisaged by the policy. It is therefore appropriate to look at how declarations are made so that all the issues in the policy are adequately covered and recorded.
 - (e) A lot of councils are now reporting staff and councillor declarations online as a matter of course. There is no legal obligation to put these declarations online, however, if other councils can manage this then the challenge to Spelthorne is, why can't we? The de facto best practice is an online register.
 - (f) There has been an acceptance that the system has been working well. More periodic reviews and regular updates and training might be helpful to ensure that the policy and the recording system has more prominence.
- 1.7 Improving the policy and the reporting mechanism will reassure the public that high standards of corporate governance are in place within the Council.

These improvements will also protect staff and councillors from any criticism that may be levelled in carrying out their work particularly as they work with partners in the community. There is great value in not only being transparent and above board, but being seen to be so.

2. Options analysis and proposal

- 2.1 At your meeting the Monitoring Officer will table examples from other organisations as to how gifts and hospitality are recorded and reported. As a result of this review, the following options are proposed for members to consider and debate:
- (a) An online system has merits, however from experience, a system which relies on members accessing the network to fill in an online form is unlikely to be supported or successful. What will be successful? It is considered that a paper-based system which is available at all meetings will more likely be able to capture member declarations.
 - (b) There is value in a paper-based system. It provides an excellent audit trail if declarations are made in a bound journal.
 - (c) There is value in the current system of all declarations being signed off by the Chief Executive. It impresses the significance of the reporting on staff and councillors. The Chief Executive wishes to continue with this aspect of the procedure.
 - (d) Declaring online dilutes the significance of reporting to the Chief Executive and attending his office to complete the record.
 - (e) There is still a possibility to report online. The Council can report online, comply with GDPR and at the same time maintain a paper-based audit trail of declarations. By adopting a hybrid of paper and online the Council will likely be able to meet the needs of all stakeholders.
 - (f) To comply with GDPR the Council needs to be clear how it will use the data collected by preparing a Privacy Notice and bringing it to the attention of staff and councillors.

Proposed Process

- 2.2 The Council will prepare specialised stationary in the form illustrated in Appendix 2 – one book for councillors, one for staff.
- 2.3 The book for councillors will be available at all meetings. Councillors will complete declarations at their meetings or by attending Committee Services in between times. Reminders about declarations will be issued by the Chairmen.
- 2.4 The book for staff will be available at staff meetings. Management Team will remind staff to complete the declarations. Otherwise staff can complete the form by attending the Chief Executive's Office.
- 2.5 The Chief Executive will review both books from time to time as declarations are made but at least once per month. Any discrepancies with policy will be referred to the Monitoring Officer for follow up.
- 2.6 At the end of each month Committee Services and the Chief Executive's Office will compile a spreadsheet all declarations in the form shown in Appendix 3 – this will be published online.

- 2.7 The Monitoring Officer will review the monthly spreadsheet to satisfy himself that the policy and the process are working in accordance with expectations.
- 2.8 Each year the Members' Code of Conduct Committee will review all 12 monthly declarations and raise any queries or observations. The Monitoring Officer will present a report to the Members' Code of Conduct Committee.
- 3. Financial implications**
- 3.1 There are none.
- 4. Other considerations**
- 4.1 Improved corporate governance is the main improvement envisaged by this report in that the Council's processes become more transparent and accountable to residents once all possible vested interests are declared and in the open.
- 5. Timetable for implementation**
- 5.1 Report to Council for April 2019. Policy to be implemented from the new Municipal Year.

Background papers: There are none

Appendices:

Appendix 1 – [With proposed amendments in Track Change] Policy on Gifts, Hospitality and Sponsorship – Part 5j of the Constitution

Appendix 2 – suggested form of declaration by members

Appendix 3 – suggested form of online register

Appendix 1

Policy on Gifts, Hospitality and Sponsorship

1. Introduction

- 1.1 The Council has adopted a Code of Conduct for Members and a Staff Code of Conduct. Each code is based on the Nolan Committee's Seven Principles of Public Life. All councillors, co-opted members and staff are expected to abide by the code which is relevant for them. In addition all councillors, co-opted members and staff are also bound by this Policy on Gifts, Hospitality and Sponsorship which contains provisions which are applicable to all those working for the Council in their respective capacity.

2. General provisions

- 2.1 It is a criminal offence for you corruptly to receive or give any gift, loan, fee, reward or advantage for doing or not doing anything or showing favour or disfavour to any person in your official capacity. It is for you to demonstrate that any such rewards have not been corruptly obtained.
- 2.2 The Council has adopted the following guidelines to help but they may be used in a disciplinary setting to determine if you are in breach of the relevant Code of Conduct.
- 2.3 One of the most difficult questions on which advice is sought, is the giving and receiving of hospitality and gifts. Staff and councillors need to appreciate that gifts, hospitality and sponsorship, wrongly accepted, can amount to or be construed as bribery within the meaning of the Bribery Act 2010.
- 2.4 It is impossible to prepare guidance to cover all situations, and you should always take advice whenever complex or potentially contentious situations occur. Staff can talk to their Chief Officer, to the Head of Human Resources or the Head of Corporate Governance. Councillors can talk to the Chief Executive or the Head of Corporate Governance.
- 2.5 One test to apply in this situation is "What would the man or woman in the street think"? Ask yourself whether if they knew the circumstances, they would think that you might be influenced in your future conduct by the gift or hospitality offered. Would they think that your past conduct might have been influenced by the hope of, or designed to encourage, such a gift or hospitality? If the answer to either of these questions is "yes", you should refuse the offer.
- 2.6 Bear in mind that it is not enough to avoid actual impropriety. It is important for your reputation and that of the Council to avoid any occasions for suspicion and any appearance of improper behaviour.

3. Advice on when to accept or refuse gifts and hospitality

<u>Who is it from?</u>	<u>What is it?</u>	<u>Action</u>	<u>Explanatory Paragraph</u>
<u>Grateful member of public</u>	<u>A gift of nominal value (below £35) and no ulterior motive is apparent</u>	<u>Accept if refusal would give offence.</u> <u>Record in Register</u>	<u>4.1, 4.3, 6.1, 6.2</u>
<u>Grateful member of</u>	<u>A gift of value</u>	<u>Refuse unless refusal</u>	<u>4.2, 6.1, 6.2</u>

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Policy on Gifts, Hospitality and Sponsorship

Appendix 1

<u>public</u>	<u>above £35</u>	<u>would give offence</u> <u>If accepted, donate to</u> <u>Mayor's Charity Appeal</u> <u>Record in Register</u>	
<u>Frequent gifts</u> <u>from a member</u> <u>of public</u>	<u>A gift of nominal</u> <u>value (below £35)</u>	<u>Refuse unless refusal</u> <u>would give offence.</u> <u>If accepted, donate to</u> <u>Mayor's Charity Appeal.</u> <u>Record in Register</u>	<u>4.3, 6.1, 6.2</u>
<u>A person or</u> <u>company</u> <u>engaged in</u> <u>negotiating a</u> <u>contract or other</u> <u>matter with the</u> <u>Council</u>	<u>Any gift,</u> <u>hospitality or</u> <u>sponsorship</u>	<u>Try to avoid such</u> <u>situations. If they arise,</u> <u>refuse.</u> <u>Record in Register.</u>	<u>4.4, 6.1, 6.2</u>
<u>Any member of</u> <u>the public</u> <u>Any Community</u> <u>Group</u> <u>Any business</u> <u>connected with</u> <u>the Council</u>	<u>Offers of</u> <u>hospitality in the</u> <u>course of</u> <u>business</u>	<u>Consult Chief Executive</u> <u>in advance</u> <u>Accept if there is a</u> <u>genuine need to impart</u> <u>information, represent or</u> <u>promote the interests of</u> <u>the Council in the</u> <u>community.</u> <u>Record in Register.</u>	<u>5.1 – 5.3,</u> <u>6.1, 6.2</u>
<u>Any member of</u> <u>the public</u> <u>Any Community</u> <u>Group</u> <u>Any business</u> <u>connected with</u> <u>the Council</u>	<u>Offers to attend</u> <u>purely social or</u> <u>sporting functions</u>	<u>Consult Chief Executive</u> <u>in advance</u> <u>Accept only when these</u> <u>are part of the life of the</u> <u>community or where the</u> <u>Council should be seen</u> <u>to be represented.</u> <u>Record in Register</u>	<u>5.1 - 5.3,</u> <u>6.1, 6.2</u>
<u>Any business</u> <u>connected with</u> <u>the Council</u>	<u>Attendance at</u> <u>relevant</u> <u>conferences and</u> <u>courses</u>	<u>Consult Chief Executive</u> <u>in advance</u> <u>Accept where it is clear</u> <u>the hospitality is</u> <u>corporate rather than</u> <u>personal.</u> <u>Record in Register</u>	<u>5.4, 6.1, 6.2</u>

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3.4. Gifts

3.4.1 A gift offered to you may be accepted if refusal would give offence, if:-

- (a) it is of nominal value (below £35.00) e.g. calendars, diaries, pens, a bottle of wine, flowers etc., and
- (b) no ulterior motive is apparent nor is there any danger of misinterpretation by the public (be careful where the offer comes from a person or company seeking work from the Council).

3.4.2 Gifts outside the scope of the above guidelines, should normally be refused, unless refusal would give offence. In such a case, the gift could be accepted and donated to the Mayor's Charity Appeal, with a suitable explanation to the person or company concerned. Receipt of gifts in these circumstances should be reported in accordance with paragraphs relating to Register for Gifts and Hospitality below. They should always be refused if an ulterior motive is apparent.

3.4.3 ~~Gifts offered by grateful members of the public can similarly be accepted where the value is nominal (below £35.00) and a refusal might otherwise give offence.~~ Some members of staff and councillors however, regularly come into contact with the public and a frequent recurrence of small gifts might give the impression that they are expected or a reward for favourable treatment. In these circumstances, gifts should normally be refused. Alternatively, if refusal would give serious offence, they could be accepted and the rules mentioned above applied.

3.4.4 In any event, you should refuse an offer or try to avoid situations where you are likely to be offered a gift from a person or company engaged in negotiating a contract or other matter with the Council, or who has negotiated such a matter and where you are directly responsible for formulating recommendations to the Council, for making a decision on a contract or for monitoring the service received from the person or Company concerned. If the contract or other matter has been completed, and there is no obvious likelihood of a renewal, then the previous paragraphs apply.

4.5. Hospitality

4.5.1 You should only accept offers of hospitality if there is a genuine need to impart information, represent or promote the interests of the Council in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the Council should be seen to be represented. Any hospitality accepted, should be properly authorised and recorded. (See paragraphs relating to Register for Gift and Hospitality below).

4.5.2 When hospitality has to be declined, those making the offer should be courteously but firmly informed of the procedures and standards operating within the Council.

4.5.3 When receiving authorised hospitality you should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality.

Appendix 1

[4.45.4](#) Acceptance of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, where the Chief Executive is consulted in advance and where the Council is satisfied that any purchasing decisions are not compromised.

[5.6.](#) Register for Gifts and Hospitality

[5.16.1](#) You must record all gifts and hospitality received, **including any offered but rejected**, in the Register maintained by the Chief Executive. This must include all offers of gifts and hospitality. Each entry in the Register must be authorised by the Chief Executive and in the case of hospitality accepted, it must be authorised in advance of attendance of the particular event.

[5.26.2](#) In all cases, it is better to err on the side of caution. If you have doubts, seek advice. What matters above all else, are the reputations of yourself, the Council and local government generally.

[6.7.](#) Sponsorship - giving and receiving

[6.47.1](#) Where an outside organisation wishes to sponsor or is asked to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. How would this look to the ordinary man or woman in the street? Particular care must be taken when dealing with contractors or potential contractors (i.e. contractors who could bid for Council work).

[6.27.2](#) Where the Council wishes to sponsor an event or service neither you nor any person connected with you must benefit personally from such sponsorship in any way. In all cases there ought to be full disclosure of the arrangements and consultation with the Chief Executive at an early stage.

[6.37.3](#) Similarly, where the Council through sponsorship, grant aid, financial or other means, gives support in the community, you should ensure that impartial advice is given and that there is no conflict of interest involved with your work as a councillor or member of staff and any outside interests.

[6.47.4](#) In each arrangement for sponsorship, care shall be given to recording the arrangement and the decision making process so that there is a clear audit trail for the purposes of transparency and accountability.

Draft form subject to final design treatment

Staff Code of Conduct Declaration of Gifts and Hospitality

*indicates items which will be publicly available on the website – the website will be our register, not this form

Name:

*Job Title:
Service

*Date of disclosure:

Date of offer of gift or hospitality

*Date of receipt of gift or hospitality

*Name and address of donor

*Full description of Gift or Hospitality offered or received

*Estimated value of the gift or hospitality:

Donor's connection with Council business:

Reason for the offer:

*Outcome - was the gift or hospitality accepted or rejected

Reason for the decision

Date on which any gift was returned or donated to the Mayor's Charity

Any other relevant information.

CEX office:

Does this comply with policy? Yes / No

Signature:

Date:

Draft form subject to final design treatment

Members' Code of Conduct Declaration of Gifts and Hospitality

*indicates items which will be publicly available on the website - the website will be our register, not this form

*Name:

*Date of disclosure:

Date of offer of gift or hospitality

*Date of receipt of gift or hospitality

*Name and address of donor

*Full description of Gift or Hospitality offered or received

*Estimated value of the gift or hospitality:

Donor's connection with Council business:

Reason for the offer:

*Outcome - was the gift or hospitality accepted or rejected

Reason for the decision

Date on which any gift was returned or donated to the Mayor's Charity

Any other relevant information.

CEX office:

Does this comply with policy? Yes / No

Signature:

Date:

PROPOSED LAYOUT EXAMPLE :Staff and councillors register of gifts and hospitality February 2019
NB these entries are illustrative not taken from real declarations

Name or Role	Date of disclosure	Date of receipt	Name of Donor	Nature of gift or hospitality	Estimated Value	Outcome
Cllr Bloggs	13 February 2019	n/a	Mickey's Kebab Palace	All you can eat Kebab extravaganza	£4.50	Declined
Housing Options Officer	13 February 2019	12 February 2019	Mr and Mrs Smith	Tin of Biscuits	£5.00	Accepted
Mayor	13 February 2019	8 February 2019	Ashford School	Bunch of flowers	£35.00	Accepted
Mayor	13 February 2019	2 February 2019	Electrical Superstore	£100 voucher	£100	Donated to Mayor's Charity
Leader	13 February	9 February	Shepperton Sports and Social	Dinner at Annual AGM	£45.00	Accepted
Group Head	13 February 2019	n/a	Slick and Slicker Solicitors	Meal at west-end restaurant	£100	Declined
Procurement Officer	13 February 2019	n/a	ACME Building Co	Weekend use of holiday home in Marbella	Not known	Declined

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